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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,599	01/10/2001	John G. Goddard	4147-10-PUS	1790

22442 7590 08/20/2002

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[REDACTED] EXAMINER

LUKTON, DAVID

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

1653

DATE MAILED: 08/20/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/646599

[REDACTED] EXAMINER

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

9

L J DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Please see the attached communication regarding applicants' response to the restriction requirement.

Applicants' election of Group 1 (claims 1-3, drawn to compositions, limited to G1 and G5) is acknowledged. Also acknowledged is applicants' attempt to comply with the "election of species" requirement. Applicants have attempted to comply with this requirement by electing oleyl thiophosphoryl-2-O-methyl glycerate (compound 78, page 69, line 7, specification). This compound contains just one glyceric acid group (more accurately the oleyl ester of glyceric acid). By contrast, claim 1 does not encompass compounds in which just one glyceric acid group is bonded to phosphate (or thiophosphate), i.e., claim 1 does not encompass any compound in which one of the "W" groups is just hydroxyl (or in which one of the "W" groups contains no carbon atom). Such is the case with oleyl thiophosphoryl-2-O-methyl glycerate. The elected specie must fall within the scope of the elected group. Accordingly, applicants are held non-responsive. Applicants should either elect a different specie, or a different group.

The time for response (one month) is reset pursuant to this Office action. Failure to elect a group and a corresponding specie will result in abandonment of the application.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton. Phone: (703) 308-3213.

An inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.



DAVID LUKTON
PATENT EXAMINER
GROUP 1653